

REMARKS

Rejection Summary

Claims 1-26 are rejected under 35 U.S.C. § 103(a).

Claim 17 has been objected to for informalities.

Applicant respectfully traverses all the outstanding rejections and requests reconsideration and withdrawal thereof in view of the following remarks.

Amendments to the Claims

Claim 17 has been amended to remove the typographical error.

Therefore no new matter has been added.

No amendment or argument was made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claim Objections

The Office Action objects to claim 17. This objection is respectfully traversed. Claim 17 is amended in accordance with the Office Action's suggestions to overcome the objections. Accordingly, Applicants request the withdrawal of the objection to the claims.

Claim Rejections

The Office Action rejects, under 35 U.S.C. § 103, claims 1 - 26 over Willenegger et al. U.S. Patent Application No. 2006/0189272 (Willenegger) in view of Parantainen U.S. Patent Application No. 2006/00156370 (Parantainen).

These rejections are respectfully traversed.

Independent claim 1 provides, *inter alia* "receiving a notification for a broadcast data session on a first frequency identifying a second frequency on which broadcast data of the broadcast data session is sent; determining a configuration associated with the second frequency in accordance with receiving the broadcast data session; and configuring the user equipment to receive the broadcast data session in accordance with the determined configuration."

In contrast, neither the Willenegger, et al. patent nor the Parantainen, et al. patent describe or suggest "receiving a notification ... identifying a second frequency on which broadcast data of the broadcast data session is sent" or "determining a configuration associated with the second frequency in accordance with receiving the broadcast data session."

Willenegger does disclose MBMS services however, Willenegger discusses that the design of the MBMS system must accommodate UE(s) that may have different capabilities with regard to receiving Broadcast or multicast data. Willenegger discloses that the channel

structure and mapping maybe selected such that the UE(s) with minimum capability may be able to receive MBMS services. This is simply not the same as the UE receiving a notification for a broadcast data session on a first frequency identifying a second frequency on which broadcast data of the broadcast data session is sent and then determining (by the UE) a configuration associated with the second frequency in accordance with receiving the broadcast data session.

As the Examiner admits, Willenegger does not disclose or suggest notification for a broadcast data session on a first frequency identifying a second frequency on which broadcast data of the broadcast data session is sent. In addition, Willenegger further fails to disclose determining a configuration associated with the second frequency in accordance with receiving the broadcast data session and further fails to disclose configuring the user equipment to receive the broadcast data session in accordance with the determined configuration.

Parantainen fails to make up for these deficiencies. Parantainen discloses that service announcement informs the UE(s) about forthcoming services and that a MBMS notification 206 informs the UE(s) about forthcoming broadcast data transfer. This simply is not the same as receiving a notification for a broadcast data session on a first frequency identifying a second frequency on which broadcast data of the broadcast data session is sent; determining a configuration associated with the second frequency in accordance with receiving the broadcast data session; and configuring the user equipment to receive the broadcast data session in accordance with the determined configuration. Therefore, combining the reference does not provide for all of the elements of claim 1 and similarly independent claims 16 and 25....

Therefore, Applicants respectfully submit that independent claims 1, 16 and 25 define patentable subject matter. The remaining claims depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 103.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Respectfully submitted,

/DAVID S NOSKOWICZ/

David S. Noskowicz
Attorney for Applicant
Registration No. 55,503

Dated: 12 June 2007

Phone No. (847) 523-2333
Fax No. (847) 523-2350

Please send correspondence to:
Motorola, Inc.
Intellectual Property
600 North U.S. Highway 45
Libertyville, IL 60048